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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,414	08/08/2005	Brian C Solomon	10738-1	9083
30076 7590 10/16/2007 STEPTOE & JOHNSON LLP 2121 AVENUE OF THE STARS STUDIO 2800 LOS ANGELES, CA 90067			EXAMINER DEBROW, JAMES J	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 10/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,414	Applicant(s) SOLOMON ET AL.	
	Examiner James J. Debrow	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/14/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Application filed 11 Jan. 2005.
2. Claims 1-24 are pending in this case. Claims 1 and 12 are independent claims.

Specification

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-4, 10, 11, 12-15, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferrel et al. (Patent No.: US 6,199, 082 B1; Filed: Jul. 17, 1995) (hereinafter "Ferrel").**

Regarding independent claims 1 and 12, Ferrel discloses *an electronic content publication management system for publishing content to one or more electronically accessible sites, each site including at least one electronic page, the system comprising:*

content database means for storing a plurality of content objects (col. 5, lines 37-41; col. 8, lines 4-29; Fig. 1; Ferrel discloses a content database which separated from the layout database.).

content management database means for storing a data structure identifying each electronic page, the layout at one or more content pools within each page and the layout of one or more content elements within each page, wherein the data structure identifies the layout of one or more nested content pools or content objects within each content pool (col. 5, lines 37-41; col. 8, lines 4-29; col. 9, lines 1-6; col. 18, lines 39-52; Fig. 1; Fig. 4; Ferrel discloses a layout database which separated from the content

database. Ferrel disclose titles/layouts consist of nested sections that contains objects such as pages or search objects. Ferrel also disclose a style sheets which consist contains properties for displaying the content.).

electronic page assembly means for generating one or more completed electronic pages for each site using the stored data structure and stored content objects (col. 10, lines 37-63; Ferrel discloses generating one or more completed electronic pages for each site using the stored data structure and stored content objects.).

Regarding dependent claims 2 and 13, Ferrel discloses *an electronic content publication management system wherein the data structure includes a plurality of tags each identifying a separate electronic page, content pool or content object* (col. 5, lines 52-59; col. 17, lines 52-55; col. 24, lines 12-15; Ferrel discloses a tagged component of a structured story can be automatically placed in different parts of a title, making it easier for viewers to read and navigate the information.).

Regarding dependent claims 3 and 14, Ferrel discloses *an electronic content publication management system, wherein each tag identifies the location of one or more content objects or one or more content pools* (col. 17, lines 31-55; col. 22, lines 7-26; col. 24, lines 12-24; Ferrel discloses a tagged component of a structured story can be automatically placed in different parts of a title, making it easier for viewers to read and navigate the information. Ferrel further disclose the descriptions of tags are found in style sheets that is linked to the control into which the story object becomes rendered.

Thus each tag identifies the location of one or more content objects or one or more content pools.).

Regarding dependent claims 4 and 15, Ferrel discloses *an electronic content publication management system, wherein at least one content pool tag identifies one or more other tags* (col. 18, lines 39-52; Ferrel disclose titles/layouts consist of nested sections that contains objects such as pages or search objects. Thus one content pool tag identifies one or more other tags.).

Regarding dependent claims 10 and 21, Ferrel discloses *an electronic content publication management system wherein the electronic page assembly means is adapted to display at a remote terminal an administration view of the electronic page, the administration view including visually distinct representations of each content pool and content object within the electronic page* (col. 11, line 45-col 12, line 31; Fig.2; Ferrel discloses a remote terminal an administration view of the electronic page, the administration view including visually distinct representations of each content pool and content object within the electronic page.).

Regarding dependent claims 11 and 22, Ferrel discloses *an electronic content publication management system, wherein each visually distinct representation includes one or more control elements to enable user modification of that content pool or content object within the data structure* (col. 11, line 45-col 12, line 31; Fig.2; Ferrel discloses

controls which represent the component that will appear on-screen are laid out within Multimedia Publication System (MPS) pages.).

7. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art.

See MPEP 2123.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 5-7 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel in view of Timmons (Pub. No.: US 2001/0044810 A1; Effective Filing Date: Nov. 7, 2000).**

Regarding dependent claims 5 and 16, Ferrel does not expressly disclose an electronic content publication management system, wherein the one or more other tags each include an associated ranking of that tag within an associated content pool.

However Timmons teaches *wherein the one or more other tags each include an*

associated ranking of that tag within an associated content pool (0025, Timmons teaches using tags to rank information objects within a collection of objects in a database or on a page.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Ferrel with Timmons for the benefit of dividing and sorting page content from several pages into groups sharing similar attributes (0013.).

Regarding dependent claims 6 and 17, Ferrel does not expressly disclose *an electronic content publication management system, wherein one or more tags include display instructions for use in conjunction with the tag rankings to control the layout of content objects within the electronic page.*

However Timmons teaches *wherein one or more tags include display instructions for use in conjunction with the tag rankings to control the layout of content objects within the electronic page* (0025; Timmons teaches using tags to rank information objects within a collection of objects in a database or on a page, wherein the user will be shown only the most important objects on the page. Using the broadest reasonable interpretation, the examiner concludes the include display instructions for use in conjunction with the tag rankings.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Ferrel with Timmons for the benefit of dividing and sorting page content from several pages into groups sharing similar attributes (0013.).

Regarding dependent claims 7 and 18, Ferrel does not expressly disclose *an electronic content publication management system, wherein the electronic page assembly means is adapted to layout the content pools or contents objects identified by the one or more other tags in a table within the electronic page according to the tag rankings.*

However Timmons teaches *wherein the electronic page assembly means is adapted to layout the content pools or contents objects identified by the one or more other tags in a table within the electronic page according to the tag rankings* (0080-0083; Timmons teaches TABLE tag that is used for page layout.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Ferrel with Timmons for the benefit of dividing and sorting page content from several pages into groups sharing similar attributes (0013.).

10. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

11. Claims 8, 9, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel in view of Hartman, Jr. et al. (Patent. No.: US 7,007,034 B1; Filing Date: Jan. 21, 2000) (hereinafter "Hartman").

Regarding dependent claims 8 and 19, Ferrel does not expressly disclose *an electronic content publication management system, wherein the content management database means stores permission rights to selectively enable the modification of the data structure and/or the content objects.*

However Hartman teaches *wherein the content management database means stores permission rights to selectively enable the modification of the data structure and/or the content objects* (col. 3, lines 25-46; col. 6, lines 18-35; Hartman teaches permission checking and assigning assigned privileges to users by a system administrator.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Ferrel with Hartman for the benefit of providing permission checking (col. 3, line 25).).

Regarding dependent claims 9 and 20, Ferrel does not expressly disclose *an electronic content publication management system, wherein the permission rights include the right to delegate some or all of the permission rights.*

However Hartman teaches *wherein the permission rights include the right to delegate some or all of the permission rights* (col. 3, lines 25-46; col. 6, lines 18-35;

Hartman teaches permission checking and assigning assigned privileges to users by a system administrator.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Ferrel with Hartman for the benefit of providing permission checking (col. 3, line 25).).

12. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

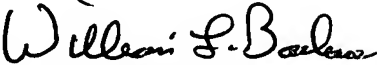
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAMES DEBROW
EXAMINER
ART UNIT 2176


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